

**VIRGINIA BOARD OF NURSING
MINUTES
November 18, 2009**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:10 A.M. on November 18, 2009 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Richmond, Virginia

**BOARD MEMBERS
PRESENT:**

Lynne M. Cooper, Citizen Member, President
Patricia M. Selig, R.N., F.N.P., Ph.D., Vice President
Peregrin Francisco, R.N., M.S.A., Secretary
Florence Jones-Clarke, R.N., M.S.
Brenda L. Hale, R.N.,
Jeanne E. Holmes, Citizen Member
Joyce A. Hahn, Ph.D.; APRN; NEA-BC
Patricia C. Lane, R.N., B.S.N.
Evelyn Lindsay, L.P.N.
Judith E. Piersall, R.N., B.S.N.
Karen Schultz, Ph.D. M.B.A., Citizen Member

**BOARD MEMBER
ABSENT:**

John M. Horn, L.P.N.

STAFF PRESENT:

Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director
Brenda Krohn, R.N., M.S., Deputy Executive Director
Gloria D. Mitchell, R.N., M.S.N., M.B.A., Deputy Executive Director (joined later)
Jodi P. Power, R.N., J.D., Deputy Executive Director
Linda Kleiner, R.N., Discipline Case Manager
Ann Tiller, Compliance Manager
Amy Davis, Administrative Assistant

OTHERS PRESENT: Howard M. Casway, Senior Assistant Attorney General

**ESTABLISHMENT OF
A QUORUM:**

With eleven members of the Board present, a quorum was established.

CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATIONS:

Terry D. Peterson, L.P.N. 0002-054888

Ms. Peterson did not appear.

Dr. Hahn moved to accept the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Terry Peterson for not less

than six months and until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice.
The motion was seconded and carried unanimously.

Karin E. Hedlund, R.N. 0001-147066

Ms. Hedlund did not appear.

Dr. Hahn moved to accept the recommended decision of the agency subordinate to place Karin Hedlund on probation for a period of two years of nursing employment with terms.

The motion was seconded and carried unanimously.

Elsie F. Williams, L.P.N. 0002-029760

Ms. Williams did not appear.

Dr. Hahn moved to accept the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Elsie Williams until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice.

The motion was seconded and carried unanimously.

Karen S. Lind, R.N. 0001-074737

Ms. Lund did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the professional nursing license of Karen Lind with said suspension stayed contingent upon Ms. Lind's entry into the Health Practitioners Monitoring Program, and thereafter, remain in compliance with the terms and conditions for the period specified by the Health Practitioners Monitoring Program.

The motion was seconded and carried unanimously.

Dominique Mattocks, R.N. 0001-211385

Ms. Mattocks did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Dominique Mattocks and that Ms. Mattocks be ordered to view the National Council of State Boards of Nursing video "Crossing the Line" at the Board office within 30 days of entry of the Order.

The motion was seconded and carried unanimously.

Pamela Mosby, C.N.A. 1401-024983

Ms. Mosby did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the right to renew the nurse aide certificate of Pamela Mosby and enter a finding of misappropriation of patient property.

The motion was seconded and carried unanimously.

Katie L. Burt, L.P.N. 0002-078881

Ms. Burt did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Katie Burt until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice.
The motion was seconded and carried unanimously.

Linda S. Bishop, L.P.N. 0002-018472

Ms. Bishop did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Linda Bishop.
The motion was seconded and carried unanimously.

Kim Anderson, L.P.N. 0002-039801

Ms. Anderson did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Kim Anderson and impose a monetary penalty of \$2,500.00 to be paid to the Board within 60 days of entry of the order.
The motion was seconded and carried unanimously.

Randy Baldwin, L.P.N. 0002-064490

Ms. Baldwin did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Randy Baldwin and to indefinitely suspend the right to renew the nurse aide certificate of Randy Baldwin until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice.
The motion was seconded and carried unanimously.

Melissa Stevens, L.P.N. 0002-052094

Ms. Stevens did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Melissa Stevens until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice.
The motion was seconded and carried unanimously.

Shirley L. Dickerson, R.N. 0001-027860

Ms. Dickerson did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to suspend the right to renew the professional nursing license of Shirley Dickerson until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice.
The motion was seconded and carried unanimously.

Gary M. Huff, Jr., R.N. 0001-194527

Mr. Huff did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the professional nursing license of Gary Huff until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice.
The motion was seconded and carried unanimously.

Lyndsey A. Arthur, L.P.N. 0002-072983

Ms. Arthur did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the right to renew the practical nursing license of Lyndsey Arthur until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice.
The motion was seconded and carried unanimously.

Diana Akoto, C.N.A. 1401-100237

Ms. Akoto did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Diana Akoto with a finding of abuse.
The motion was seconded and carried unanimously.

Mary B. Cole, C.N.A. 1401-051300

Ms. Cole did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Mary Cole with a finding of abuse.
The motion was seconded and carried unanimously.

Mary Garrett, C.N.A. 1401-076486

Ms. Garrett did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Mary Garrett.
The motion was seconded and carried unanimously.

Florine L. Lake, C.N.A. 1401-051604

Ms. Lake did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Florine Lake with a finding of abuse.
The motion was seconded and carried unanimously.

Teila Lee, C.N.A. 1401-103816

Ms. Lee did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Teila Lee.
The motion was seconded and carried unanimously.

Saprina Washington, C.N.A. 1401-117259

Ms. Washington did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Saprina Washington with a finding of misappropriation of patient property.
The motion was seconded and carried unanimously.

Roberta R. Buckman, R.N. 0001-116684

Ms. Buckman did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the professional nursing license of Roberta Buckman until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice.
The motion was seconded and carried unanimously.

Sheila Hester, L.P.N. 0002-074683

Ms. Hester appeared.

CLOSED MEETING:

Ms. Francisco moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:20 A.M., for the purpose of consideration of an agency subordinate recommendation. Additionally, Ms. Francisco moved that Ms. Douglas, Ms. Power, Ms. Kleiner, Ms. Krohn, Ms. Tiller, Ms. Davis and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.
The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 9:22 A.M.

Ms. Francisco moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.
The motion was seconded and carried unanimously.

ACTION:

Dr. Hahn moved to accept the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Sheila Hester, with said suspension stayed upon Ms. Hester's entry into the Health Practitioners Monitoring Program and thereafter, remain in compliance with the terms and conditions specified by the Health Practitioners Monitoring Program.
The motion was seconded and carried unanimously.

Ms. Mitchell joined the meeting.

Julia C. Johnson, R.N. 0001-138869; C.M.T. 0019-005380

Ms. Johnson appeared.

CLOSED MEETING:

Ms. Francisco moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:26 A.M., for the purpose of consideration of an agency subordinate recommendation. Additionally, Ms. Francisco moved that Ms. Douglas, Ms. Power, Ms. Mitchell, Ms. Kleiner, Ms. Krohn, Ms. Tiller, Ms. Davis and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 9:40 A.M.

Ms. Francisco moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Piersall moved that the Board of Nursing accept the recommended decision of the agency subordinate to issue an order with findings of fact and conclusions of law, but impose no sanction against Julia Johnson, C.M.T.

The motion was seconded and carried unanimously.

Ms. Piersall moved that the Board of Nursing modify the recommended decision of the agency subordinate to indefinitely suspend the professional nursing license of Julia Johnson until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice.

The motion was seconded and carried unanimously.

Mary Katherine Cummings, R.N. 0001-081858

Ms. Cummings appeared.

CLOSED MEETING:

Ms. Francisco moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:47 A.M., for the purpose of consideration of an agency subordinate recommendation. Additionally, Ms. Francisco moved that Ms. Douglas, Ms. Power, Ms. Mitchell, Ms. Kleiner, Ms. Krohn, Ms. Tiller, Ms. Davis and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 9:57 A.M.

Ms. Francisco moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Lindsay moved that the Board of Nursing accept the recommended decision of the agency subordinate to suspend the professional nursing license of Mary Cummings with said suspension stayed upon receipt of evidence that Ms. Cummings has re-entered into the Health Practitioners Monitoring Program and thereafter, remain in compliance with the terms and conditions of the Health Practitioners Monitoring Program for the time specified by the Health Practitioners Monitoring Program

The motion was seconded and carried unanimously.

Michele A. Scanlon, R.N., 0001-090298, L.N.P. 0024-090298

Ms. Scanlon appeared, accompanied by attorney, William McKee

CLOSED MEETING:

Ms. Francisco moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 10:09 A.M., for the purpose of consideration of an agency subordinate recommendation. Additionally, Ms. Francisco moved that Ms. Douglas, Ms. Power, Ms. Mitchell, Ms. Kleiner, Ms. Krohn, Ms. Tiller, Ms. Davis and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 10:11 A.M.

Ms. Francisco moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the professional nursing license of Michele Scanlon, with said suspension stayed contingent upon Ms. Scanlon's entry into the Health Practitioners Monitoring Program and thereafter, remain in compliance with the terms and conditions of the Health Practitioners Monitoring Program for the time specified by the Health Practitioners Monitoring Program.

The motion was seconded and carried unanimously.

RECESS:

The Board recessed at 10:11 A.M.

RECONVENTION:

The Board reconvened at 10:15 A.M.

CLOSED MEETING:

Ms. Francisco moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 10:15 A.M., for the purpose of consideration of agency subordinate recommendations. Additionally, Ms. Francisco moved that Ms. Douglas, Ms. Power, Ms. Mitchell, Ms. Kleiner, Ms. Krohn, Ms. Tiller, Ms. Davis and Mr. Casway attend the closed meeting

because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.
The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 11:00 A.M.

Ms. Francisco moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously

Elizabeth J. Howell, R.N. 0001-208130

Ms. Howell did not appear.

Dr. Selig moved that the Board of Nursing accept the recommended decision of the agency subordinate to place Elizabeth Howell on probation for a period of two years of nursing employment, with terms.

The motion was seconded and carried unanimously.

Michael S. Brown, L.P.N. 0002-076042

Mr. Brown did not appear.

Ms. Lindsay moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the right to renew the practical nursing license of Michael Brown for not less than two years and until such time as he can appear before the Board and provide sufficient evidence that he is safe and competent to practice.

The motion was seconded and carried unanimously.

Alan Griffin, R.N. Privilege

Mr. Griffin did not appear.

Ms. Lindsay moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the multistate privilege of Alan Griffin until such time as he can appear before the Board and provide sufficient evidence that he is safe and competent to practice.

The motion was seconded and carried unanimously.

Nancy David, R.N. 0001-105443

Ms. David did not appear.

Ms. Cooper moved that the Board of Nursing modify the recommended decision of the agency subordinate to reprimand Nancy David and indefinitely suspend the professional nursing license of Ms. David with the suspension to be stayed contingent upon proof of Ms. David's re-entry into the Health Practitioners Monitoring Program, and thereafter she must remain in compliance with the terms and conditions specified by the Health Practitioners Monitoring Program.

The motion was seconded and carried unanimously.

Vonda K. Austin, L.P.N. 0002-054914

Ms. Austin did not appear.

Ms. Lane moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Vonda Austin for a period of not less than 18 months and until such time as she is able to appear before the Board and provide sufficient evidence that she is safe and competent to practice.

The motion was seconded and carried unanimously.

Athena Chudoba, R.N. 0001-089349

Ms. Chudoba did not appear.

Ms. Lane moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the professional nursing license of Athena Chudoba until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice.

The motion was seconded and carried unanimously.

Carol W. Harpine, L.P.N. 0002-071802

Ms. Harpine did not appear.

Ms. Lane moved that the Board of Nursing modify the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Ms. Harpine until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice.

The motion was seconded and carried unanimously.

Rose H. Crowder, C.N.A. 1401-110141; L.P.N. 0002-078413

Ms. Crowder did not appear.

Dr. Selig moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Rose Crowder in her capacity as a practical nurse and as a nurse aide, and further, enter a finding of neglect against Ms. Crowder in the Nurse Aide Registry based on a single occurrence.

The motion was seconded and carried. Ms. Cooper, Dr. Selig, Ms. Francisco, Ms. Hale, Ms. Holmes, Dr. Hahn, Ms. Lane, Ms. Lindsay, Ms. Piersall and Dr. Schultz were in favor of the motion. Ms. Jones-Clarke opposed the motion.

Marie Foley, L.P.N. Privilege

Ms. Foley did not appear.

Ms. Hale moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Marie Foley and impose a \$300.00 monetary penalty to be paid to the Board within 60 days of entry of the order.

Anthony S. Carpenter, L.P.N. 0002-070083

Ms. Carpenter did not appear.

Ms. Jones-Clarke moved that the Board of Nursing accept the recommended decision of the agency subordinate to take no action at this time contingent upon Anthony Carpenter's continued compliance with the Health Practitioners Monitoring Program.

The motion was seconded and carried unanimously.

Cynthia M. Williams, R.N. 0001-197176

Ms. Williams did not appear.

Ms. Hale moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the professional nursing license of Cynthia Williams until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice.

The motion was seconded and carried unanimously.

ADJOURNMENT:

The meeting was adjourned at 11:00 A.M.

Peregrin Francisco, R.N., M.S.A.
Secretary

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
November 18, 2009
Panel - A**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 1:12 P.M. on November 18, 2009 in Board Room 3, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

**BOARD MEMBERS
PRESENT:**

Patricia M. Selig, R.N., F. N.P., Ph.D, Vice President
Peregrin Francisco, R.N., M.S.A.
Jeanne Holmes, Citizen Member
Patricia C. Lane, R.N., B.S.N.
Evelyn Lindsay, L.P.N.

**BOARD MEMBER
ABSENT:**

John M. Horn, L.P.N.

STAFF PRESENT:

Jodi P. Power, R.N., J.D., Deputy Executive Director
Brenda Krohn, R.N., M.S., Deputy Executive Director
Donna Lee, Senior Discipline Specialist

OTHERS PRESENT:

Howard M. Casway, Senior Assistant Attorney General

**ESTABLISHMENT OF
A QUORUM:**

With five members of the Board present, a quorum was established.

FORMAL HEARINGS:

Cameron Stephens-Brown, R.N. Privilege

Ms. Stephens-Brown appeared, represented by attorney, Margaret Hardy, and accompanied by her husband, Keith Stephens.

Cynthia Gaines, represented the Commonwealth. Mr. Casway was legal counsel for the Board. Holly Bush, court reporter, recorded the proceedings.

Kim Martin, Senior Investigator, Department of Health Professions; and Keith Stephens were present and testified.

CLOSED MEETING:

Ms. Francisco moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(15) of the *Code of Virginia* at 1:25 P.M. for the purpose of consideration and discussion of medical records of Ms. Stephens-Brown that are excluded from the Freedom of Information Act by Virginia Code Section 1 of 2.2-3705.5. Additionally, Ms. Francisco moved that Ms. Krohn, Ms. Power, Ms. Lee, Ms. Bush and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 1:52 P.M.

Ms. Francisco moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

CLOSED MEETING:

Ms. Francisco moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 2:00 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Stephens-Brown. Additionally, Ms. Francisco moved that Ms. Krohn, Ms. Power, Ms. Lee and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 2:15 P.M.

Ms. Francisco moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Holmes moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Gaines and amended by the Board.

The motion was seconded and carried unanimously.

ACTION:

Ms. Lane moved that the Board of Nursing issue an order making findings of fact and conclusions of law, but impose no sanction against the privilege of Cameron Stephens-Brown to practice nursing in Virginia.

The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

FORMAL HEARINGS:

Kathy E. Gosnell, C.N.A. Reinstatement Applicant 1401-064913

Ms. Gosnell appeared.

Wendell Roberts, represented the Commonwealth. Mr. Casway was legal counsel for the Board. Holly Bush, court reporter, recorded the proceedings.

Patricia Sheehan, Senior Investigator, Department of Health Professions was present and testified.

CLOSED MEETING:

Ms. Francisco moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 3:14 P.M., for the

purpose of deliberation to reach a decision in the matter of Ms. Gosnell. Additionally, Ms. Francisco moved that Ms. Krohn, Ms. Power, Ms. Lee and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 3:43 P.M.

Ms. Francisco moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Holmes moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Mr. Roberts and amended by the Board.

The motion was seconded and carried unanimously.

ACTION:

Ms. Francisco moved that the Board of Nursing deny the application for reinstatement of Kathy Gosnell's nurse aide certificate, and continue the certificate on indefinite suspension for a period of not less than one year.

The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

FORMAL HEARINGS:

Willie A. Brown, C.N.A. Reinstatement Applicant 1401-013589

Mr. Brown appeared.

Wendell Roberts, represented the Commonwealth. Mr. Casway was legal counsel for the Board. Holly Bush, court reporter, recorded the proceedings.

Cecile Custer, Senior Investigator, Department of Health Professions was present and testified.

CLOSED MEETING:

Ms. Francisco moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 5:02 P.M., for the purpose of deliberation to reach a decision in the matter of Mr. Brown. Additionally, Ms. Francisco moved that Ms. Krohn, Ms. Power, Ms. Lee and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 5:14 P.M.

Ms. Francisco moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Holmes moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Roberts and amended by the Board.
The motion was seconded and carried unanimously.

ACTION:

Ms. Lindsay moved that the Board of Nursing deny the application for reinstatement of Willie Brown's nurse aide certificate and continue the certificate on indefinite suspension for a period of not less than one year.
The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

ADJOURNMENT:

The Board adjourned at 5:18 P.M.

Brenda Krohn, R.N., M.S.
Deputy Executive Director

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
November 18, 2009
Panel - B**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 11:15 A.M. on November 18, 2009 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT: Lynne M. Cooper, Citizen Member, President
Joyce A. Hahn, Ph.D, APRN, NEA-BC
Brenda Hale, R.N.
Florence Jones-Clarke, R.N., M.S.
Judith E. Piersall, R.N., B.S.N.
Karen K. Schultz, Ph.D., M.B.A.

STAFF PRESENT: Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director
Gloria D. Mitchell, R.N., M.S.N., M.B.A., Deputy Executive Director
Amy Davis, Administrative Assistant

OTHERS PRESENT: Howard M. Casway, Senior Assistant Attorney General
Ishneila Moore, Assistant Attorney General (joined later)
Nursing students from Bon Secours School of Nursing; Loudoun County School of Nursing; South University.

ESTABLISHMENT OF A QUORUM: With six members of the Board present, a quorum was established.

FORMAL HEARINGS: **Donna Lee Henson, R.N. 0001-075073**
Ms. Henson did not appear.

Anne Joseph, Deputy Director, Administrative Proceedings Division, represented the Commonwealth. Mr. Casway was legal counsel for the Board. L. Kim Taylor, court reporter, recorded the proceedings.

Anthony Sellers, Senior Investigator, Department of Health Professions; Officer Benjamin Nicholson, Newport News Police Department; and William Doss, M.D. were present and testified.

CLOSED MEETING: Ms. Hale moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 12:05 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Henson. Additionally, Ms. Hale moved that Ms. Douglas, Ms. Mitchell, Ms. Davis and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 12:10 P.M.

Ms. Hale moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Piersall moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Joseph.

The motion was seconded and carried unanimously.

ACTION: Dr. Hahn moved that the Board of Nursing indefinitely suspend the professional nursing license of Donna Henson until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice. The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

RECESS: The Board recessed at 12:15 P.M.

RECONVENTION: The Board reconvened at 1:07 P.M.

Mr. Casway left the meeting. Ms. Moore joined the meeting.

FORMAL HEARINGS: **Amber Breeden, L.P.N. 0002-070526**
Ms. Breeden did not appear.

LaRhonda Carter, Adjudication Specialist, represented the Commonwealth. Ms. Moore was legal counsel for the Board. L. Kim Taylor, court reporter, recorded the proceedings.

Ron Houser, Senior Investigator, Department of Health Professions; and Peter Hill, F.N.P., Executive Director, Elkton Family and Children's Medical Clinic, were present and testified.

CLOSED MEETING: Ms. Hale moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 1:22 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Breeden. Additionally, Ms. Hale moved that Ms. Douglas, Ms. Davis and Ms. Moore attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 1:30 P.M.

Ms. Hale moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Dr. Schultz moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Carter.

The motion was seconded and carried unanimously.

ACTION:

Ms. Jones-Clarke moved that the Board of Nursing indefinitely suspend the right to renew the practical nursing license of Amber Breeden until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

FORMAL HEARINGS:

Susan A. Fine, R.N. 0001-127216

Ms. Fine did not appear.

LaRhonda Carter, Adjudication Specialist represented the Commonwealth. Ms. Moore was legal counsel for the Board. L. Kim Taylor, court reporter, recorded the proceedings.

Tonya James, Compliance Case Manager, Department of Health Professions was present and testified.

CLOSED MEETING:

Ms. Hale moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 1:40 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Fine. Additionally, Ms. Hale moved that Ms. Douglas, Ms. Mitchell, Ms. Davis and Ms. Moore attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 1:45 P.M.

Ms. Hale moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Dr. Schultz moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Carter.

The motion was seconded and carried unanimously.

ACTION: Dr. Hahn moved that the Board of Nursing indefinitely suspend the professional nursing license of Susan Fine until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice. The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

RECESS: The Board recessed at 1:47 P.M.

RECONVENTION: The Board reconvened at 2:07 P.M.

FORMAL HEARINGS: **Robin M. Church, R.N. 0001-201996**
Ms. Church did not appear.

LaRhonda Carter, Adjudication Specialist represented the Commonwealth. Ms. Moore was legal counsel for the Board. L. Kim Taylor, court reporter, recorded the proceedings.

Rachel Shaw, Senior Investigator, Department of Health Professions; Naomi Harrison, C.N.A., Town and Country Adult Home; Margaret Daniels, C.N.A., Town and Country Adult Home; William Evans, Abingdon Ambulance Service; and Vicki Adkins, RPh were present and testified.

CLOSED MEETING: Ms. Hale moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 3:46 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Church. Additionally, Ms. Hale moved that Ms. Douglas, Ms. Mitchell, Ms. Davis and Ms. Moore attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 4:12 P.M.

Ms. Hale moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened. The motion was seconded and carried unanimously.

ACTION: Ms. Piersall moved that the Board of Nursing dismiss the case in the matter of Robin Church. The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

ADJOURNMENT: The Board adjourned at 4:15 P.M.

Gloria D. Mitchell, R.N., M.S.N., M.B.A.
Deputy Executive Director